

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

ROBERT L. JAMISON,  
PLAINTIFF,

**V.**

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,  
DEFENDANT.

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Case No. 12-CV-145-FHM

## OPINION AND ORDER

The Commissioner's Unopposed Motion to Extend Deadline for Filing Response Brief, [Dkt. 17], is before the Court.

The Court notes that the motion, having been filed on the due date of the brief in question, is untimely. In the normal course of business, the Court does not receive notice of a motion until the next business day. Accordingly, good practice as well as courtesy dictates that an extension of time be filed **in advance of the due date**. The Court expects as much. Further, although the Commissioner submitted a proposed order, contrary to the requirements of LCvR 7.2 (g), neither the motion nor the proposed order addressed the fact that an extension of the Commissioner's briefing deadline would also extend Plaintiff's reply deadline. In addition, the date the Commissioner proposed for the new deadline for his response brief is a Saturday, which is not an appropriate date.

Based upon the representations of counsel that Plaintiff has no objection, the Commissioner is GRANTED an extension of time: Commissioner's Response Brief is due on or before December 7, 2012; Plaintiff may file a Reply on or before December 21, 2012.

SO ORDERED this 13th day of November, 2012.

*Frank H. McCarthy*  
FRANK H. MCCARTHY  
UNITED STATES MAGISTRATE JUDGE